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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,970	11/20/2001	Andreas Prokoph	DE920000094US1/2265P	1657
29141	7590	04/22/2004	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			THAI, HANH B	
			ART UNIT	PAPER NUMBER
			2171	2

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/989,970

Applicant(s)

PROKOPH, ANDREAS

Examiner

Hanh B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 20 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

This is in response to application filed November 20, 2001 in which claims 1-23 are presented for examination.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et al. (US Patent no. 6,631,369) in view of Nelson et al. (US Patent no. 6,243,713).

Regarding claims 1 and 9, Meyerzon discloses a method for retrieving information using a search engine comprising the steps of:

- (a) retrieving a document to be indexed (see col.4, lines 43-54, Meyerzon);
- (b) generating a document extract corresponding to the document (see col. 4, lines 53-67, Meyerzon); and
- (d) storing the plurality of tokens in a search index, wherein the search engine accesses the search index to retrieve information in one or more document extracts satisfying a search query (see col. 7, lines 44-65 and col.8, lines 1-10, Meyerzon).

Meyerzon, however, does not explicitly disclose (c) decomposing the document extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia information including the decomposing the document into a plurality of tokens (see

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abstract of Nelson). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claim 17, Meyerzon discloses a system for retrieving information, wherein the system includes a search engine comprising:

- means for retrieving a document from a document repository (see col.4, lines 43-54 and element 200, Fig.2 and corresponding text, Meyerzon);
- an information extractor coupled to the means for retrieving, wherein the information extractor generates a document extract corresponding to the document (see col. 4, lines 53-67, Meyerzon). Each document is retrieved from the web site process and the data is extracted from each of these retrieved documents. Therefore, there must be an extractor for the extracting process;
- a storage device (100, Fig.2 and corresponding text, Meyerzon) coupled to the information extractor for storing the document extract;
- a search engine indexer (300, Fig.2) coupled to the storage device; and
- a search index (400, Fig.2) coupled to the search engine indexer for storing the plurality of tokens, wherein the search engine accesses the search index to retrieve information in one or more document extracts satisfying a search query (see col. 7, lines 44-65 and col.8, lines 1-10; Fig.2 and corresponding text, Meyerzon).

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Meyerzon, however, does not explicitly disclose the step of decomposing the document extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia information including the decomposing the document into a plurality of tokens (see abstract of Nelson). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claims 2, 10 and 18, Meyerzon/Nelson combination further discloses the steps of (b1) extracting a portion of the document that characterizes the document's subject content to form the document extract; and (b2) recording positional information of the portion extracted within the document (see col. 6, lines 1-10, Nelson).

Regarding claims 3 and 11, Meyerzon/Nelson combination further discloses the step of storing the document extract in a storage device (see Fig.2 and corresponding text, Meyerzon).

Regarding claims 4, 12 and 19, Meyerzon/Nelson combination further discloses the step of storing the recorded positional information with the plurality of tokens (see col.6, lines 1-34, Nelson).

Regarding claims 5 and 13, Meyerzon/Nelson combination further discloses the step  
Meyerzon/Nelson combination further discloses extracting from the document a collection of

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sentences that are characteristic of the document's subject content to form a document summary (see abstract, col.6, lines 1-34, Nelson).

Regarding claims 6 and 14, Meyerzon/Nelson combination further discloses the step of selecting from the document extract one of a whole sentence, a portion of a sentence, a word, and a feature (see col.6, lines 1-34, Nelson).

Regarding claim 20, Meyerzon/Nelson combination further discloses the plurality of tokens comprises one of a whole sentence, a portion of a sentence, a word, and a feature of the document (see col.7, lines 46-67 and col.9, lines 60-65, Nelson).

Regarding claims 7, 15 and 21, Meyerzon/Nelson combination further discloses the step of selecting based on frequency of occurrence, word-salient-measure, proximity to the beginning of a paragraph, proximity the beginning of the document, and proximity to or position within a heading or a caption (see col. 19, lines 39-51, Nelson).

Regarding claims 8, 16 and 22, Meyerzon/Nelson combination further discloses that the document is a web-page in the Internet (see Fig.2, Meyerzon).

Regarding claim 23, Meyerzon/Nelson combination further discloses the means for retrieving the document is a web crawler (see abstract of Meyerzon).

***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Woods (US Patent no. 5,724,571) discloses a method and apparatus for generating query responses in a computer-based document retrieval system.

2. Van den Akker (US Patent no. 6,415,250) discloses a system and method for identifying language using morphologically based techniques.

3. Tateno (US Patent no. 5,778,400) discloses a method for storing, searching for and retrieving text of a structured document provided with tags.

4. Wittgreffe et al. (US Patent no. 6,253,208) discloses an information access system.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HANH B THAI whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hanh Thai   
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April 14, 2004

**UYEN LE**  
**PRIMARY EXAMINER**